

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION CORPORATION, Plaintiff-Applicant, v. BERNARD L. MADOFF INVESTMENT SECURITIES LLC, Defendant.	Adv. Pro. No. 08-01789 (CGM) SIPA Liquidation (Substantively Consolidated)
In re: BERNARD L. MADOFF, Debtor.	
IRVING H. PICARD, Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and the Chapter 7 Estate of Bernard L. Madoff, Plaintiff, v. CREDIT SUISSE AG, as successor-in-interest to Clariden Leu AG and Bank Leu AG; Defendant.	Adv. Pro. No. 12-01676 (CGM)

STIPULATION AND ORDER TO WAIVE ARGUMENT

Defendant Credit Suisse AG, as successor-in-interest to Clariden Leu AG and Bank Leu AG (“Defendant”) filed a motion to dismiss the Amended Complaint under Bankruptcy Rule 7012(b) and Federal Rule of Civil Procedure 12(b)(6) (the “Motion”) on June 29, 2022 (ECF No. 87). The parties stipulated to rest on their papers and waive oral argument on the Motion on November 14, 2022 (ECF No. 97). The Court has considered the Motion, the papers filed in support of and in opposition to the Motion, and the Amended Complaint. The Court entered a memorandum decision, dated November 21, 2022, regarding the Motion (the “Decision”) (ECF

No. 101). Based on the record in this adversary proceeding, including the Decision, **IT IS ORDERED:**

1. The Motion to dismiss the Amended Complaint is denied.
2. The deadline for Defendant to file an answer to the Amended Complaint is January 20, 2023.
3. The Court shall retain jurisdiction to implement or enforce this Order.

Dated: November 29, 2022
Poughkeepsie, New York



/s/ Cecelia G. Morris

Hon. Cecelia G. Morris
U.S. Bankruptcy Judge